

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ALBERT MEDINA,

Plaintiff

v.

JAMES SCALLY, et al.,

Defendants

Case No.: 2:23-cv-01773-APG-MDC

Order for Second Status Report

Plaintiff Albert Medina sues defendants James Scally, Lieutenant Bartt, Jaimie Cabrera, and John Doe for events that occurred while Medina was incarcerated at High Desert State Prison (HDSP). After screening, the following claims are pending: (1) an Eighth Amendment claim of deliberate indifference to a serious medical need based on the recent failure to provide him treatment for his wrist arthritis and pain, against Scally, Bartt, and Cabrera; and (2) an Eighth Amendment claim of deliberate indifference to a serious medical need based on the failure to provide him medication for gastroesophageal reflux disease (GERD), against Scally, Bartt, Cabrera, and John Doe. ECF No. 21 at 12-13.

I previously ordered the defendants to file a status report regarding (1) whether plaintiff Albert Medina has seen a doctor for his wrist after having been advised his request was expedited; (2) if not, why not; and (3) if he is scheduled for an appointment, when that appointment is set and why it could not be set sooner. The defendants filed a status report stating that Medina was scheduled to be seen for his wrist on November 27, 2024. ECF No. 59.

Medina recently filed a motion for reconsideration regarding appointment of counsel in which he confirms that he was seen for his wrist on November 27. ECF No. 61 at 3. But Medina states that the doctor discontinued the pain medication for his arthritis in his wrist “without

1 considering prescribing an alternative pain medication.” *Id.* Accordingly, I order the defendants
2 to file a second status report regarding what happened at the November 27, 2024 appointment,
3 including whether the doctor discontinued pain medication for Medina’s wrist and, if so, the
4 medical reason for doing so. The defendants may provide a declaration from the doctor in
5 support.

6 I THEREFORE ORDER that by December 20, 2024, the defendants shall provide a
7 status report regarding what happened at the November 27, 2024 appointment, including whether
8 the doctor discontinued pain medication for Medina’s wrist and, if so, the medical reason for
9 doing so.

10 I FURTHER ORDER that medical records and logistics for follow up appointments (if
11 any) can be filed under seal with the court.

12 DATED this 4th day of December, 2024.

13
14 

15 ANDREW P. GORDON
16 CHIEF UNITED STATES DISTRICT JUDGE
17
18
19
20
21
22
23